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April 30, 2002

4001.002299

CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
April 30, 2002	
Date	Shelley P.M. Fussey

Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: *U.S. Patent Application Serial No. 09/998,833; Entitled "Combined Cancer Treatment Methods Using Antibodies to Aminophospholipids"; Thorpe & Ran (UTSD:549--2)*

Sir:

Enclosed for filing in the above-referenced patent application is:

- (1) A Response to Notice of Omitted Items and Petition to Maintain Filing Date, including a copy of the Notice mailed April 10, 2002;
- (2) An additional copy of page 154;
- (3) A Declaration of Shelley P.M. Fussey Regarding Submission of Complete Papers;
- (4) A check in the amount of \$130.00 as the Petition fee; and

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WILLIAMS, MORGAN & AMERSON, P.C.

Assistant Commissioner for Patents

April 30, 2002

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- (5) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard; and

If any additional fees be required for any reason relating to the enclosed materials, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4001.002299.

Applicants believe the Petition will be decided in favor of the Applicants. A refund of the \$130.00 petition fee is therefore respectfully requested.

Respectfully submitted,

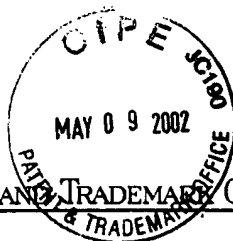


Shelley P.M. Fussey, Ph.D.

Patent Agent

Reg. No. 39,458

Encls.


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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/998,833	11/30/2001	Philip E. Thorpe	4001.002299

CONFIRMATION NO. 8102

## FORMALITIES LETTER



\*OC000000007843494\*

 Shelley P.M. Fussey  
 WILLIAMS, MORGAN & AMERSON, P.C.  
 Suite 250  
 7676 Hillmont  
 Houston, TX 77040

Date Mailed: 04/10/2002

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) **154** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

*nv*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE